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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of ) MM DOCKET NO. 93-110  
)  
H. GIBBS FLANDERS, JR., )  
TRUSTEE )  
)  
Order to Show Cause Why the )  
License for Station WJHH(AM), )  
Soperton, Georgia, Should )  
Not be Revoked )

To: H. Gibbs Flanders, Jr., Trustee

**MASS MEDIA BUREAU'S BILL OF PARTICULARS**

Issues (a) and (b) of the Order to Show Cause and Hearing Designation Order, DA 93-418 (released April 21, 1993), are based on the following information and allegations:

1. Station WJHH(AM), Soperton, Georgia, has been silent since June 8, 1990.
2. On December 10, 1990, the Commission granted an application (File No. BAL-901119EA) on FCC Form 316 for consent to the assignment of license of WJHH(AM) from Holiday Broadcasting Systems, Inc. to H. Gibbs Flanders, Jr., Trustee in Bankruptcy ("Flanders").
3. Requests for temporary authority for WJHH(AM) to remain silent were routinely granted by the Commission through April 7, 1991, based on claimed financial difficulties and continuing

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efforts to locate a qualified buyer to whom the radio station could be sold.

4. By letter, dated April 6, 1991, Flanders represented to the Commission that he anticipated receiving approval by the United States Bankruptcy Court for the Southern District of Georgia of the "sale of the license" for WJHH(AM) within the next month. Flanders requested further temporary authority for WJHH(AM) to remain silent for 45 days.

5. By letter, dated April 18, 1991, the Commission granted Flanders temporary authority for WJHH(AM) to remain silent through July 22, 1991, by which date an application for consent to the assignment of license of WJHH(AM) was required to have been filed with the Commission.

6. No application for consent to the assignment of license of WJHH(AM) was filed by July 22, 1991, and no request for further temporary authority for WJHH(AM) to remain silent was made to the Commission by July 22, 1991.

7. By official inquiry letter, dated, April 8, 1992, the Commission informed Flanders that WJHH(AM) was silent without authority. The Commission requested Flanders to provide specific information about WJHH(AM)'s silent status and his compliance with Sections 73.1740 and 73.1750 of the Commission's Rules, 47

C.F.R. §§ 73.1740 and 73.1750. The inquiry letter also informed Flanders that requests for extensions of temporary authority to remain silent must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301 of the Anti-Drug Abuse Act of 1988. The Commission directed Flanders to respond within 30 days.

8. By letter, dated April 16, 1992, Flanders responded to the April 8, 1992, letter of inquiry. Flanders represented that an application had been filed with the Commission requesting consent to the assignment of license of WJHH(AM) to Vidalia Communications Corporation. Flanders requested further temporary authority for WJHH(AM) to remain silent pending Commission action on the assignment application.

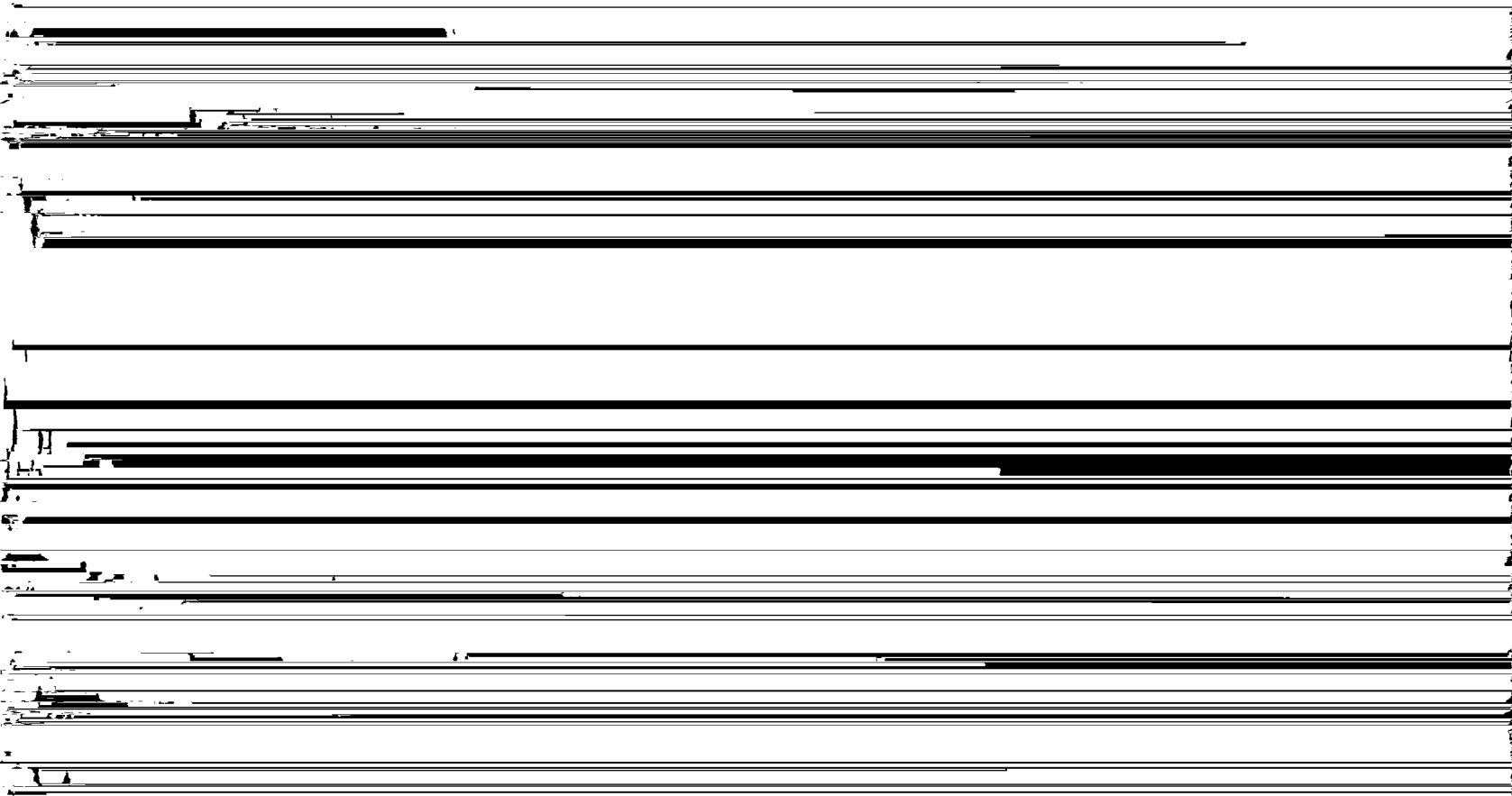
9. Flanders' letter was not accompanied by a certification pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. Additionally, Commission records do not reveal any application having been filed for consent to the assignment of license of WJHH(AM) from Flanders to Vidalia Communications Corporation.

10. By letter, dated April 28, 1992, the Commission again informed Flanders that requests for extensions of temporary authority to remain silent must be accompanied by a certification that neither the applicant nor any party to the request is

subject to a denial of Federal benefits under Section 5301 of the Anti Drug Abuse Act of 1988. The Commission further informed Flanders that action on his April 16, 1992, request for an extension of temporary authority for WJHH(AM) to remain silent would be deferred pending receipt of a certification.

11. Commission records do not reveal any response by Flanders to the Commission's April 28, 1992, correspondence.

12. By official inquiry letter, dated, July 23, 1992, the Commission again informed Flanders that WJHH(AM) was silent without authority. The Commission requested Flanders to provide specific information about WJHH(AM)'s silent status and his compliance with Sections 73.1740 and 73.1750 of the Commission's Rules, 47 C.F.R. §§ 73.1740 and 73.1750. The inquiry letter also again informed Flanders that requests for extensions of temporary



again informed Flanders that WJHH(AM) was silent without authority. The Commission enclosed a copy of its July 23, 1992, inquiry letter and directed Flanders to reply with 15 days.

15. By letter, dated September 30, 1992, Flanders responded to the Commission's September 25, 1992, correspondence. Flanders informed the Commission that on June 26, 1991, the United States Bankruptcy Court had authorized the "sale of the license" of WJHH(AM) from the bankruptcy estate to an individual by the name of Terry Meeks for the purchase price of \$3,900.00 and that the "sale of the license" had been consummated. Flanders further informed the Commission that he had forwarded an application for consent to the assignment of license of WJHH(AM) from Flanders to Meeks "so that he could file the same with the FCC." Flanders also stated that "[s]ince the date of the sale on June 26, 1991, the bankruptcy estate has had no involvement in connection with the license."

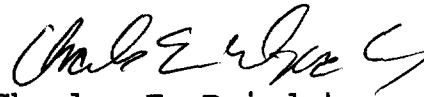
16. Commission records do not reveal any application having been filed for consent to the assignment of license of WJHH(AM) from Flanders to Meeks.

17. By letter, dated January 29, 1993, the Commission informed Flanders that, according to Commission records, Flanders remained the licensee of record of WJHH(AM) and that the station was silent without authority. The Commission directed Flanders

to submit a response within 15 days.

18. Commission records to not reveal that Flanders responded to the Commission's January 29, 1993, correspondence.

Respectfully submitted,  
Roy J. Stewart  
Chief, Mass Media Bureau

  
By: Charles E. Dziedzic  
Chief, Hearing Branch

Federal Communications Commission  
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May 17, 1993

**CERTIFICATE OF SERVICE**

I, Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certify that I have, on this 18th day of May 1993, sent by Certified Mail - Return Receipt Requested, copies of the foregoing, "Mass Media Bureau's Bill of Particulars" to the following:

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P.O. Box 2056, CSS  
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Administrative Law Judge  
Joseph P. Gonzalez  
Federal Communications Commission  
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(by regular First Class mail, U.S. Government  
frank)

Michelle C. Mebane  
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